

V-1

1     **TITLE V—SAFE SCHOOLS FOR**  
2             **THE 21ST CENTURY**

3     **SEC. 501. SAFE SCHOOLS.**

4         Title V is amended to read as follows:

5     **“TITLE V—SAFE SCHOOLS FOR**  
6             **THE 21ST CENTURY**

7     **“PART A—SUPPORTING DRUG AND VIOLENCE**  
8             **PREVENTION AND EDUCATION FOR STU-**  
9             **DENTS AND COMMUNITIES**

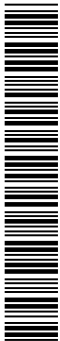
10    **“SEC. 5001. SHORT TITLE.**

11         “This part may be cited as the ‘Safe Schools for the  
12    21st Century Act of 2001’.

13    **“SEC. 5002. PURPOSE.**

14         “The purpose of this part is to support programs that  
15    prevent the use of drugs, prevent violence, provide before  
16    and after school activities and supervision for school age  
17    youth, involve parents and communities, and are coordi-  
18    nated with related Federal, State, and community efforts  
19    and resources to foster a learning environment in which  
20    students increase their academic achievement, through the  
21    provision of Federal assistance to—

22             “(1) States for grants to local educational agen-  
23             cies and consortia of such agencies to establish, op-  
24             erate, and improve local programs of drug and vio-



## V-2

1 lence prevention in elementary and secondary  
2 schools;

3 “(2) States for grants to local educational agen-  
4 cies, in partnership with community-based organiza-  
5 tions, religious organizations, and other public enti-  
6 ties and private organizations, for before and after  
7 school programs for youth; and

8 “(4) public and private nonprofit and for-profit  
9 organizations to conduct training, demonstrations,  
10 and evaluations.

11 **“SEC. 5003. AUTHORIZATION OF APPROPRIATIONS.**

12 “There are authorized to be appropriated—

13 “(1) \$1,470,000,000 for fiscal year 2002, and  
14 such sums as may be necessary for each of the 4  
15 succeeding fiscal years, for State grants under sub-  
16 part 1; and

17 “(2) \$20,000,000 for fiscal year 2002, and for  
18 each of the 4 succeeding fiscal years, for national  
19 programs under subpart 2.

20 **“Subpart I—School Safety**

21 **“SEC. 5111. RESERVATIONS AND ALLOTMENTS.**

22 “(a) RESERVATIONS.—From the amount made avail-  
23 able under section 5003(1) to carry out this part for each  
24 fiscal year, the Secretary—



## V-3

1           “(1) shall reserve 0.5 percent or \$73,500,000  
2           (whichever is greater) of such amount for grants  
3           under this subpart to Guam, American Samoa, the  
4           United States Virgin Islands, and the Common-  
5           wealth of the Northern Mariana Islands, to be allot-  
6           ted in accordance with the Secretary’s determination  
7           of their respective needs; and

8           “(2) shall reserve 0.5 percent or \$73,500,000  
9           (whichever is greater) of such amount for the Sec-  
10          retary of the Interior to carry out programs under  
11          this part for Indian youth.

12          “(b) STATE ALLOTMENTS.—

13               “(1) IN GENERAL.—Except as provided in para-  
14          graph (2), the Secretary shall, for each fiscal year,  
15          allocate among the States—

16                   “(A) one-half of the remainder not re-  
17                  served under subsection (a) according to the  
18                  ratio between the school-aged population of  
19                  each State and the school-aged population of all  
20                  the States; and

21                   “(B) one-half of such remainder according  
22                  to the ratio between the amount each State re-  
23                  ceived under part A of title I for the preceding  
24                  year and the sum of such amounts received by  
25                  all the States.



## V-4

1           “(2) MINIMUM.—For any fiscal year, no State  
2           shall be allotted under this subsection an amount  
3           that is less than one-half of 1 percent of the total  
4           amount allotted to all the States under this sub-  
5           section.

6           “(c) REALLOTMENT OF UNUSED FUNDS.—If any  
7           State does not apply for an allotment under this subpart  
8           for a fiscal year, the Secretary shall reallocate the amount  
9           of the State’s allotment to the remaining States in accord-  
10          ance with this section.

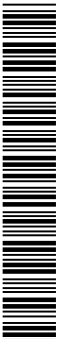
11   **“SEC. 5112. WITHIN-STATE DISTRIBUTION.**

12          “(a) GOVERNOR’S ALLOCATION.—

13               “(1) IN GENERAL.—The chief executive officer  
14               of a State may reserve not more than 10 percent of  
15               the total amount allocated to a State under section  
16               5111(b) for each fiscal year for programs and activi-  
17               ties in accordance with section 5115.

18               “(2) ADMINISTRATIVE COSTS.—The chief execu-  
19               tive officer of a State may use not more than 1  
20               percent of the amount described in paragraph (1)  
21               for the administrative costs incurred in carrying out  
22               the duties of such officer under this section.

23               “(3) GRANT AWARDS.—The chief executive offi-  
24               cer of a State shall use the remainder of funds not  
25               reserved under paragraph (2) to award competitive



## V-5

1 grants and contracts to local educational agencies,  
2 community-based organizations, religious organiza-  
3 tions, and other public entities and private organiza-  
4 tions for programs or activities described in section  
5 5115. Such officer shall award grants based on—

6 “(A) the quality of the activity or program  
7 proposed; and

8 “(B) how closely the program or activity is  
9 aligned with the appropriate principles of effec-  
10 tiveness described in section 5115(a).

11 “(b) STATE FUNDS.—

12 “(1) IN GENERAL.—An amount equal to the  
13 total amount allotted to a State under section  
14 5111(b), less the amount reserved under subsection  
15 (a) and paragraphs (2) and (3) of this subsection,  
16 for each fiscal year shall be made available to the  
17 State and its local educational agencies for activities  
18 in accordance with section 5115.

19 “(2) STATE ACTIVITIES.—A State may use not  
20 more than 4 percent of the amount available under  
21 subsection (a) for State activities described in sec-  
22 tion 5115(b).

23 “(3) STATE ADMINISTRATION.—A State may  
24 use not more than 1 percent of the amount made  
25 available under subsection (a) for the administrative



## V-6

1 costs of carrying out its responsibilities under this  
2 part.

3 “(c) DISTRIBUTION TO LOCAL EDUCATIONAL AGEN-  
4 CY.—

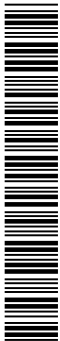
5 “(1) IN GENERAL.—

6 (A) DISTRIBUTION.— A State shall dis-  
7 tribute not less than 95 percent of the amount  
8 made available under subsection (b) for each  
9 fiscal year as follows:

10 “(i) 70 percent of such amount to  
11 local educational agencies, based on the  
12 relative enrollments in public and private  
13 nonprofit elementary and secondary  
14 schools within the boundaries of such  
15 agencies.

16 “(ii) 30 percent of such amount to  
17 local educational agencies that the State  
18 determines have the greatest need for addi-  
19 tional funds to carry out activities under  
20 this part.

21 “(B) SPECIAL CONSIDERATION.—In  
22 awarding funds under clause (ii) of subpara-  
23 graph (A), a State shall give special consider-  
24 ation to agencies that pursue a comprehensive  
25 approach to drug and violence prevention by



## V-7

1 providing or incorporating mental health serv-  
2 ices in their programs.

3 “(C) PARTNERSHIPS.—In awarding funds  
4 under clause (ii) of subparagraph (A) a State  
5 shall distribute a portion of such funds to local  
6 educational agencies that partner with commu-  
7 nity-based organizations, religious organiza-  
8 tions, other public entities, or private organiza-  
9 tions, or consortia of such organizations, to  
10 support before and after school programs and  
11 activities.

12 “(D) ADMINISTRATIVE COSTS.—Of the  
13 amount received under paragraph (1), a local  
14 educational agency may use not more than 1  
15 percent for the administrative costs of carrying  
16 out its responsibilities under this part.

17 “(E) OBJECTIVE DATA.—In determining  
18 which local educational agencies have the great-  
19 est need for additional funds, a State shall con-  
20 sider objective data such as—

21 “(i) low student performance on State  
22 academic assessments;

23 “(ii) high rates of drug use among  
24 youth;



## V-8

1                   “(iii) high rates of violence among  
2 youth;

3                   “(iv) a high need for before and after  
4 school activities among youth;

5                   “(v) local fiscal capacity to fund drug  
6 and violence prevention activities and pro-  
7 grams or before and after school activities  
8 without Federal assistance; and

9                   “(vi) a high degree of geographically  
10 rural isolation.

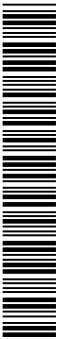
11                  “(F) GEOGRAPHIC DIVERSITY.—The dis-  
12 tribution of funds shall reflect the geographical  
13 diversity of local educational agencies in the  
14 State.

15                  “(2) RETURN OF FUNDS TO STATE; REALLOCA-  
16 TION.—

17                  “(A) RETURN.—Except as provided in  
18 subparagraph (B), upon the expiration of the 1-  
19 year period beginning on the date that a local  
20 educational agency receives its allocation—

21                   “(i) such agency shall return to the  
22 State any funds from such allocation that  
23 remain unobligated; and

24                   “(ii) the State shall reallocate any  
25 such amount to local educational agencies





## V-9

1 that have submitted plans for using such  
2 amount for programs or activities on a  
3 timely basis.

4 “(B) CARRYOVER.—In any fiscal year, a  
5 local educational agency, may retain for obliga-  
6 tion in the succeeding fiscal year—

7 “(i) an amount equal to not more  
8 than 25 percent of the allocation it re-  
9 ceived under this title for such fiscal year;  
10 or

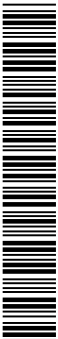
11 “(ii) upon a demonstration of good  
12 cause by such agency or consortium and  
13 approval by the State, an amount that ex-  
14 ceeds 25 percent of such allocation.

15 **“SEC. 5113. STATE APPLICATION.**

16 “(a) IN GENERAL.—In order to receive an allotment  
17 under section 5111 for any fiscal year, a State shall sub-  
18 mit to the Secretary, at such time as the Secretary may  
19 require, an application that—

20 “(1) describes the activities to be funded under  
21 sections 5112(a)(3) and 5112(b)(2);

22 “(2) describes how activities funded under this  
23 part will support State academic achievement goals  
24 in accordance with section 1111;



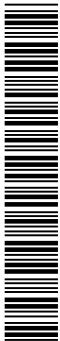
## V-10

1           “(3) describes how funds under this part will be  
2           coordinated with programs under this Act, and other  
3           programs, as appropriate, in accordance with the  
4           provisions of section 8306;

5           “(4) provides an assurance that the application  
6           was developed in consultation and coordination with  
7           appropriate State officials and others, including the  
8           chief executive officer, the chief State school officer,  
9           the head of the State alcohol and drug abuse agency,  
10          the heads of the State health and mental health  
11          agencies, the head of the State criminal justice plan-  
12          ning agency, the head of the State child welfare  
13          agency, the head of the State board of education, or  
14          their designees, and representatives of parents, stu-  
15          dents, and community-based organizations, including  
16          religious organizations;

17          “(5) provides an assurance that the State will  
18          cooperate with, and assist, the Secretary in con-  
19          ducting data collection as required by section 5115;

20          “(6) provides an assurance that the local edu-  
21          cational agencies in the State will comply with the  
22          provisions of section 8503 pertaining to the partici-  
23          pation of private school children and teachers in the  
24          programs and activities under this part;



## V-11

1 “(7) describes the results of the State’s needs  
2 assessment for drug and violence prevention pro-  
3 grams and before and after school activities, which  
4 shall be based on the results of on-going State eval-  
5 uation activities;

6 “(8)(A) provides a statement of the State’s per-  
7 formance measures for drug and violence prevention  
8 that shall be developed in consultation between the  
9 State and local officials and that consist of—

10 “(i) performance indicators for drug and  
11 violence prevention; and

12 “(ii) levels of performance for each per-  
13 formance indicator;

14 “(B) a description of the procedures the State  
15 will use for assessing and publicly reporting progress  
16 toward meeting those performance measures; and

17 “(C) a plan for monitoring the implementation  
18 of, and providing technical assistance regarding, the  
19 activities and programs conducted by local edu-  
20 cational agencies under this part.

21 “(b) GENERAL APPROVAL.—A State application sub-  
22 mitted pursuant to subsection (a) shall be deemed to be  
23 approved by the Secretary unless the Secretary makes a  
24 written determination, prior to the expiration of the 90-  
25 day period beginning on the date that the Secretary re-



## V-12

1 ceives the application, that the application is in violation  
2 of this part.

3 “(c) DISAPPROVAL.—The Secretary shall not finally  
4 disapprove a State application, except after giving the  
5 State notice and opportunity for a hearing.

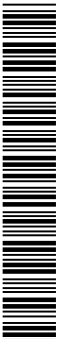
6 **“SEC. 5114. LOCAL EDUCATIONAL AGENCY APPLICATION.**

7 “(a) IN GENERAL.—In order to be eligible to receive  
8 a distribution under section 5112(c) for any fiscal year,  
9 a local educational agency shall submit, at such time as  
10 the State requires, an application to the State. Such an  
11 application shall be amended, as necessary, to reflect  
12 changes in the activities and programs of the local edu-  
13 cational agency.

14 “(b) DEVELOPMENT.—

15 “(1) CONSULTATION.—

16 “(A) IN GENERAL.—A local educational  
17 agency shall develop its application through  
18 timely and meaningful consultation with State  
19 and local government representatives and com-  
20 munity organizations, including religious orga-  
21 nizations, with relevant expertise and interest in  
22 drug and violence prevention and before and  
23 after school activities, school personnel, stu-  
24 dents, and parents.



## V-13

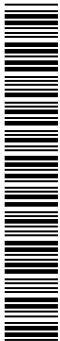
1           “(B) CONTINUED CONSULTATION.—On an  
2           ongoing basis, the local educational agency shall  
3           consult with such representatives and organiza-  
4           tions in order to seek advice regarding how best  
5           to coordinate such agency’s activities under this  
6           part with other related strategies, programs,  
7           and activities being conducted in the commu-  
8           nity.

9           “(2) DESIGN AND DEVELOPMENT.—To ensure  
10          timely and meaningful consultation, a local edu-  
11          cational agency at the initial stages of design and  
12          development of a program or activity shall consult,  
13          in accordance with subsection (c), with appropriate  
14          entities and persons on issues regarding the design  
15          and development of the program or activity, includ-  
16          ing efforts to meet the principles of effectiveness de-  
17          scribed in section 5115(a).

18          “(c) CONTENTS OF APPLICATIONS.—An application  
19          submitted by a local educational agency under this section  
20          shall contain—

21               “(1) an assurance that the activities or pro-  
22               grams to be funded support State academic achieve-  
23               ment goals in accordance with section 1111;

24               “(2) in the case of drug and violence prevention  
25               activities, a detailed explanation of the local edu-



## V-14

1 cational agency's comprehensive plan for drug and  
2 violence prevention, which shall include a description  
3 of—

4 “(A) how the plan will be coordinated with  
5 programs under this Act, other Federal, State,  
6 and local programs for drug and violence pre-  
7 vention, and before and after school activities,  
8 as appropriate, in accordance with the provi-  
9 sions of section 8306;

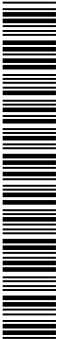
10 “(B) the local educational agency's per-  
11 formance measures for drug and violence pre-  
12 vention, that shall consist of—

13 “(i) performance indicators for drug  
14 and violence prevention; and

15 “(ii) levels of performance for each  
16 performance indicator;

17 “(C) how such agency will assess and pub-  
18 licly report progress toward attaining its per-  
19 formance measures;

20 “(D) the drug and violence prevention ac-  
21 tivity or program to be funded, including how  
22 the activity or program will meet the principles  
23 of effectiveness described in section 5115(a),  
24 and the means of evaluating such activity or  
25 program;



## V-15

1           “(3) in the case of before and after school  
2 activities—

3           “(A) a description of the activity to be  
4 funded;

5           “(B) a description of how the activity is  
6 expected to improve student academic perform-  
7 ance or contribute to drug and violence preven-  
8 tion;

9           “(C) a description of how the activity will  
10 meet the principles of effectiveness described in  
11 section 5115(a); and

12           “(D) a description of the partnership with  
13 a community-based organization, a religious or-  
14 ganization, and another public entity or private  
15 organization, if appropriate.

16           “(4) a certification that a meaningful assess-  
17 ment has been conducted to determine community  
18 needs, available resources in the private sector, and  
19 capacity in the private sector, the findings of such  
20 assessments, and a description of the mechanisms  
21 used to provide effective notice to the community of  
22 an intention to submit an application under this  
23 title;

24           “(5) an assurance that drug prevention pro-  
25 grams supported under this part convey a clear and



## V-16

1 consistent message that the use of drugs is wrong  
2 and harmful; and

3 “(6) such other information and assurances as  
4 the State may reasonably require.

5 “(d) PEER REVIEW.—

6 “(1) IN GENERAL.—In reviewing local applica-  
7 tions under this section, a State shall use a peer re-  
8 view process or other methods of assuring the qual-  
9 ity of such applications.

10 “(2) CONSIDERATIONS.—

11 (A) IN GENERAL.—In determining whether  
12 to approve the application of a local educational  
13 agency under this section, a State shall consider  
14 the quality of the local educational agency’s  
15 comprehensive plan, including the degree to  
16 which the principles of effectiveness described  
17 in section 5115(a) are met.

18 “(B) GENERAL APPROVAL.—A local edu-  
19 cational agency’s application submitted to the  
20 State under this subpart shall be deemed to be  
21 approved by the State unless the State makes  
22 a written determination, prior to the expiration  
23 of the 90-day period beginning on the date that  
24 the State receives the application, that the ap-  
25 plication is in violation of this subpart.





## V-17

1           “(C) DISAPPROVAL.—The State shall not  
2           finally disapprove a local educational agency ap-  
3           plication, except after giving such agency notice  
4           and an opportunity for a hearing.

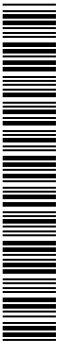
5   **“SEC. 5115. AUTHORIZED ACTIVITIES.**

6           “(a) PRINCIPLES OF EFFECTIVENESS.—

7           “(1) IN GENERAL.—For a program or activity  
8           developed pursuant to this part to meet the prin-  
9           ciples of effectiveness, such program or activity  
10          shall—

11           “(A) be based upon an assessment of ob-  
12          jective data—

13           “(i) regarding the drug and violence  
14           problems in the elementary and secondary  
15           schools and communities to be served, in-  
16           cluding an objective analysis of the current  
17           conditions and consequences regarding  
18           drug use and violence, including delin-  
19           quency and serious discipline problems,  
20           among students who attend such schools  
21           (including private school students who par-  
22           ticipate in the drug and violence prevention  
23           program) that is based on ongoing local  
24           assessment or evaluation activities; or



## V-18

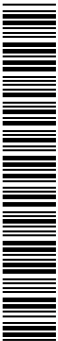
1                   “(ii) regarding the need for before  
2                   and after school programs and activities in  
3                   such schools and communities;

4                   “(B) be based upon an established set of  
5                   performance measures aimed at ensuring that  
6                   all elementary and secondary schools and com-  
7                   munities served by the local educational agency  
8                   have a drug-free, safe, and orderly learning en-  
9                   vironment; and

10                  “(C) be based upon scientifically based re-  
11                  search that provides evidence that the program  
12                  to be used will be effective.

13                  “(2) PERIODIC EVALUATION.—The program or  
14                  activity shall undergo a periodic evaluation to assess  
15                  its progress toward achieving its goals and objec-  
16                  tives. The results shall be used to refine, improve,  
17                  and strengthen the program, and to refine the per-  
18                  formance measures. The results shall also be made  
19                  available to the public upon request, with public no-  
20                  tice of such availability provided.

21                  “(3) WAIVER.—A local educational agency may  
22                  apply to the State for a waiver of the requirement  
23                  of paragraph (1)(C) to allow innovative activities or  
24                  programs that demonstrate substantial likelihood of  
25                  success.



## V-19

1 “(b) STATE ACTIVITIES.—

2 “(1) IN GENERAL.—A State shall use the funds  
3 described in section 5112(b)(1), either directly, or  
4 through grants and contracts, to plan, develop, and  
5 implement capacity building, technical assistance,  
6 accountability, program improvement services, and  
7 coordination activities for local educational agencies,  
8 community-based organizations, religious organiza-  
9 tions, other public entities, and private organizations  
10 that are designed to support the implementation of  
11 programs and activities under this part.

12 “(2) DATA COLLECTION.—

13 “(A) IN GENERAL.—A State shall use the  
14 funds described in section 5112(b)(2), either di-  
15 rectly or through grants and contracts, to es-  
16 tablish and implement a statewide system of  
17 collecting data regarding crimes occurring on  
18 school property.

19 “(B) STATISTICS.—Such data collection  
20 shall include statistics concerning the occur-  
21 rence on school property of the following crimi-  
22 nal offenses and prohibited activities as re-  
23 ported to school security authorities or local po-  
24 lice agencies—

25 “(i) murder;



## V-20

1 “(ii) sex offenses, forcible or nonforc-  
2 ible;

3 “(iii) robbery;

4 “(iv) aggravated assault;

5 “(v) burglary;

6 “(vi) manslaughter;

7 “(vii) arson; and

8 “(viii) arrests or persons referred for  
9 school disciplinary action for liquor law  
10 violations, drug-related offenses, and weap-  
11 ons possessions.

12 “(C) COMPILATION OF STATISTICS.—The  
13 statistics shall be compiled in accordance with  
14 definitions of such crimes as determined in the  
15 State criminal code, but shall not identify vic-  
16 tims of crimes or persons accused of crimes.

17 “(D) REPORTING.—Such data and statis-  
18 tics shall be reported to the public and shall be  
19 reported on a school-by-school basis.

20 “(E) LIMITATION.—Notwithstanding sub-  
21 part 3, nothing in this subsection shall be con-  
22 strued to authorize the Secretary to require  
23 particular policies, procedures, or practices with  
24 respect to crimes on school property or school  
25 security.



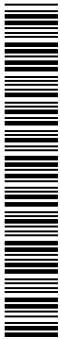
## V-21

1           “(3) SAFE SCHOOLS.—The State shall establish  
2           and implement a statewide policy requiring that stu-  
3           dents attending persistently dangerous public ele-  
4           mentary and secondary schools, as determined by  
5           the State, or who become a victim of a violent crimi-  
6           nal offense, as defined by State law, while in or on  
7           the grounds of a public elementary school or sec-  
8           ondary school that the student attends, be allowed to  
9           attend a safe public school, including a public char-  
10          ter school, or a private school if no safe public school  
11          or public charter school can accommodate the stu-  
12          dent, in the same State as the unsafe public elemen-  
13          tary or secondary school, and allowing payment of  
14          reasonable transportation costs and tuition costs for  
15          such students.

16          “(4) CODE OF CONDUCT—The State shall es-  
17          tablish and implement a student code of conduct pol-  
18          icy that clearly states responsibilities of students,  
19          teachers, and administrators in maintaining a class-  
20          room environment that allows a teacher to commu-  
21          nicate effectively with all students in the class and  
22          that allows all students in the class to learn.

23          “(c) LOCAL EDUCATIONAL AGENCY ACTIVITIES.—

24                 “(1) PROGRAM REQUIREMENTS.—A local edu-  
25          cational agency shall use funds described in section



## V-22

1 5112(c) to develop, implement, and evaluate com-  
2 prehensive programs and activities, which are coordi-  
3 nated with other school and community-based serv-  
4 ices and programs, that shall—

5 “(A) support State academic achievement  
6 goals in accordance with section 1111;

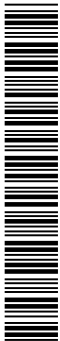
7 “(B) be consistent with the principles of  
8 effectiveness described in subsection (a);

9 “(C) be designed to—

10 “(i) prevent or reduce drug use or vio-  
11 lence, delinquency, serious discipline prob-  
12 lems, and poor academic performance; and

13 “(ii) create a well disciplined environ-  
14 ment conducive to learning, which includes  
15 consultation between teachers, principals,  
16 and other school personnel to identify early  
17 warning signs of drug use and violence and  
18 to provide behavioral interventions as part  
19 of classroom management efforts; and

20 “(D) include activities to promote the in-  
21 volvement of parents in the activity or program,  
22 to promote coordination with community groups  
23 and coalitions, including religious organizations,  
24 and government agencies, and to distribute in-



## V-23

1 formation about the local educational agency's  
2 needs, goals, and programs under this part.

3 “(2) AUTHORIZED ACTIVITIES.—Each local  
4 educational agency, or consortium of such agencies,  
5 that receives a subgrant under section 5112(c) may  
6 use such funds to carry out activities, such as—

7 “(A) developmentally appropriate drug and  
8 violence prevention programs in both elemen-  
9 tary and secondary schools that incorporate a  
10 variety of prevention strategies and activities,  
11 which may include—

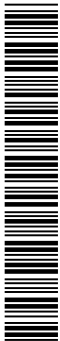
12 “(i) teaching students that most peo-  
13 ple do not use drugs;

14 “(ii) teaching students to recognize  
15 social and peer pressure to use drugs and  
16 the skills for resisting drug use;

17 “(iii) teaching students about the dan-  
18 gers of emerging drugs;

19 “(iv) engaging students in the learn-  
20 ing process;

21 “(v) incorporating activities in sec-  
22 ondary schools that reinforce prevention  
23 activities implemented in elementary  
24 schools; and



## V-24

1                   “(vi) involving families and commu-  
2                   nities in setting clear expectations against  
3                   drug use and enforcing consequences for  
4                   drug use;

5                   “(B) before and after school activities that  
6                   advance student achievement, including—

7                   “(i) remedial education activities and  
8                   academic enrichment learning programs,  
9                   including providing additional assistance to  
10                  students in order to allow them to improve  
11                  their academic achievement;

12                  “(ii) drug and violence prevention ac-  
13                  tivities;

14                  “(iii) math and science education ac-  
15                  tivities;

16                  “(iv) arts and music education activi-  
17                  ties;

18                  “(v) entrepreneurial education pro-  
19                  grams; and

20                  “(vi) mentoring programs;

21                  “(C) establishing or enhancing programs  
22                  or initiatives that improve academic achieve-  
23                  ment;

24                  “(D) training and development of school  
25                  personnel and parents in youth drug and vio-





V-25

1 lence prevention, including training in early  
2 identification, intervention, and prevention of  
3 threatening behavior;

4 “(E) law enforcement and security activi-  
5 ties, including—

6 “(i) acquisition and installation of  
7 metal detectors;

8 “(ii) hiring and training of security  
9 personnel, that are related to youth drug  
10 and violence prevention;

11 “(iii) reporting of criminal offenses on  
12 school property;

13 “(iv) development of comprehensive  
14 school security assessments;

15 “(F) counseling, mentoring, and referral  
16 services, and other student assistance practices  
17 and programs, including assistance provided by  
18 qualified school based mental health services  
19 personnel and the training of teachers by  
20 school-based mental health service providers in  
21 appropriate identification and intervention tech-  
22 niques for disciplining and teaching students at  
23 risk of violent behavior;

24 “(G) establishing and implementing a sys-  
25 tem for transferring suspension and expulsion



## V-26

1 records by a local educational agency to any  
2 public or private elementary or secondary  
3 school;

4 “(H) allowing students attending a persist-  
5 ently dangerous public elementary or secondary  
6 school, as determined by the State, or who be-  
7 come a victim of a violent criminal offense, as  
8 defined by State law, while in or on the grounds  
9 of a public elementary school or secondary  
10 school that the student attends, to attend a safe  
11 public school, including a public charter school,  
12 or a private school if no safe public school or  
13 safe public charter school can accommodate the  
14 student, in the same State as the unsafe public  
15 elementary and or secondary school, and allow-  
16 ing payment of reasonable transportation costs  
17 and tuition costs for such students;

18 “(I) the development and implementation  
19 of character education and training programs  
20 that reflect values, that take into account the  
21 views of parents or guardians of the student for  
22 whom the program is intended, which may in-  
23 clude honesty, citizenship, courage, justice, re-  
24 spect, personal responsibility, and trust-  
25 worthiness;



## V-27

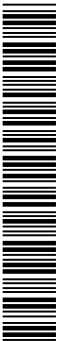
1           “(J) testing students for illegal drug use  
2           or conducting student locker searches for illegal  
3           drugs or drug paraphernalia;

4           “(K) emergency intervention services fol-  
5           lowing traumatic crisis events, such as a shoot-  
6           ing, major accident, or a drug-related incident,  
7           that has disrupted the learning environment;

8           “(L) establishing and maintaining a school  
9           violence hotline;

10          “(M) expanding and improving school-  
11          based mental health services, including early  
12          identification of drug use and violence, assess-  
13          ment, and direct individual or group counseling  
14          services provided to students, parents, and  
15          school personnel by qualified school based men-  
16          tal health services personnel;

17          “(N) alternative education programs or  
18          services for students who have been expelled or  
19          suspended from the regular educational set-  
20          tings, including programs or services to assist  
21          students to reenter the regular education set-  
22          ting upon return from treatment or alternative  
23          education programs; and



## V-28

1           “(O) the evaluation of any of the activities  
2           authorized under this subsection and the collec-  
3           tion of any data required by this part.

4           “(d) GOVERNORS’ ACTIVITIES.—A chief executive of-  
5           ficer of a State shall use funds made available under sec-  
6           tion 5112(a)(3) for competitive grants or contracts with  
7           local educational agencies, community-based organiza-  
8           tions, religious organizations, and other public entities and  
9           private organizations to support drug and violence preven-  
10          tion programs and activities and before and after school  
11          activities in accordance with the activities described in  
12          subsection (c).

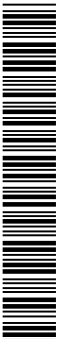
13   **“SEC. 5116. EVALUATION AND REPORTING.**

14          “(a) DATA COLLECTION.—

15               “(1) IN GENERAL.—The National Center for  
16               Education Statistics shall collect data to determine  
17               the frequency, seriousness, and incidence of drug use  
18               by youth in schools and communities in the States  
19               using, if appropriate, data submitted by the States  
20               pursuant to subsection (b).

21               “(2) REPORT.—The Secretary shall submit to  
22               the Congress a report on the data collected under  
23               this subsection.

24          “(b) STATE REPORT.—



## V-29

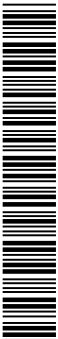
1           “(1) IN GENERAL.—Not later than October 1,  
2           2004, and every third year thereafter, the chief execu-  
3           tive officer of a State, in consultation with the  
4           State educational agency, shall submit to the Sec-  
5           retary a report on the implementation and effective-  
6           ness of State and local programs under section  
7           5115.

8           “(2) SPECIAL RULE.—The report required by  
9           this subsection shall be—

10                   “(A) based on the State’s ongoing evalua-  
11                   tion activities, and shall include data on the  
12                   prevalence of drug use and violence by youth in  
13                   schools and communities; and

14                   “(B) made available to the public upon re-  
15                   quest, with public notice of such availability  
16                   provided.

17           “(c) LOCAL EDUCATIONAL AGENCY REPORT.—Each  
18           local educational agency receiving funds under this part  
19           shall submit to the State such information, and at such  
20           intervals as the State reasonably requires to complete the  
21           State report required by subsection (b), information on the  
22           prevalence of drug use and violence by youth in the schools  
23           and the community and the progress of the local edu-  
24           cational agency toward meeting its performance measures.



## V-30

1 The report shall be made available to the public upon re-  
2 quest, with public notice of such availability provided.

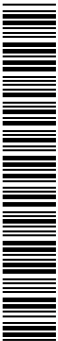
3 **“Subpart 2—National Programs**

4 **“SEC. 5121. FEDERAL ACTIVITIES.**

5 “(a) PROGRAM AUTHORIZED.—

6 “(1) IN GENERAL.—From funds made available  
7 to carry out this part under section 5003(2), the  
8 Secretary, in consultation with the Secretary of  
9 Health and Human Services, the Director of the Of-  
10 fice of National Drug Control Policy, the Chair of  
11 the Ounce of Prevention Council, and the Attorney  
12 General, shall evaluate the effectiveness of programs  
13 and activities that prevent the illegal use of drugs  
14 and violence by youth, that promote safety and dis-  
15 cipline for students in elementary and secondary  
16 schools, and that provide before and after school su-  
17 pervision and enrichment, based on the needs re-  
18 ported by States and local educational agencies.

19 “(2) COORDINATION.—The Secretary shall  
20 carry out activities described in paragraph (1) di-  
21 rectly, or through grants, contracts, or cooperative  
22 agreements with public and private nonprofit and  
23 for-profit organizations, including religious organiza-  
24 tions, and individuals, or through agreements with



## V-31

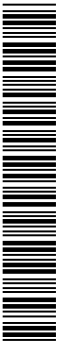
1 other Federal agencies, and shall coordinate such ac-  
2 tivities with other appropriate Federal activities.

3 “(3) PROGRAMS.—Activities described in para-  
4 graph (1) may include—

5 “(A) demonstrations and rigorous scientif-  
6 ically based evaluations of innovative ap-  
7 proaches to drug and violence prevention and  
8 before and after school activities based on needs  
9 reported by State and local educational agen-  
10 cies;

11 “(B) the provision of information on drug  
12 abuse education and prevention to the Secretary  
13 of Health and Human Services for dissemina-  
14 tion by the clearinghouse for alcohol and drug  
15 abuse information established under section  
16 501(d)(16) of the Public Health Service Act;  
17 and

18 “(C) continuing technical assistance to  
19 chief executive officers, State agencies, and  
20 local educational agencies to build capacity to  
21 develop and implement high-quality, effective  
22 programs consistent with the principles of effec-  
23 tiveness.



## V-32

1 “(b) PEER REVIEW.—The Secretary shall use a peer  
2 review process in reviewing applications for funds under  
3 this section.

4 **“Subpart 3—Gun Possession**

5 **“SEC. 5125. GUN-FREE SCHOOL REQUIREMENTS.**

6 “(a) REQUIREMENTS.—

7 “(1) STATE LAW.—Each State receiving funds  
8 under this Act shall have in effect a State law re-  
9 quiring each local educational agency—

10 “(A) to expel from school for a period of  
11 not less than one year a student who is deter-  
12 mined to have brought a firearm to a school  
13 under the jurisdiction of a local educational  
14 agency in that State, except that such State law  
15 shall allow the chief administering officer of  
16 such local educational agency to modify such  
17 expulsion requirement for a student on a case-  
18 by-case basis; and

19 “(B) to have a policy requiring each ele-  
20 mentary and secondary school to refer to the  
21 criminal justice or juvenile delinquency system  
22 any student who brings a firearm to school.

23 “(2) CONSTRUCTION.—Nothing in this part  
24 shall be construed to prevent a State from allowing  
25 a local educational agency that has expelled a stu-





## V-33

1       dent from such student's regular school setting from  
2       providing educational services to such student in an  
3       alternative setting.

4       “(b) SPECIAL RULE.—The provisions of this section  
5       shall be construed in a manner consistent with the Individ-  
6       uals with Disabilities Education Act.

7       “(c) DEFINITIONS.—For the purpose of this part—

8               “(1) the term ‘firearm’ has the same meaning  
9       given to such term under section 921(a)(3) of title  
10      18, United States Code; and

11              “(2) the term ‘school’ does not include a home  
12      school, regardless of whether a home school is treat-  
13      ed as a private school under State law.

14                      **“Subpart 4—General Provisions**

15      **“SEC. 5131. DEFINITIONS.**

16      “For the purposes of this part, the following terms  
17      have the following meanings:

18              “(1) BEFORE AND AFTER SCHOOL ACTIVI-  
19      TIES.—The term ‘before and after school activities’  
20      means academic, recreational, and enrichment activi-  
21      ties for school-age youth outside of the regular  
22      school hours or school year.

23              “(2) CONTROLLED SUBSTANCE.—The term  
24      ‘controlled substance’ means a drug or other sub-  
25      stance identified under Schedule I, II, III, IV, or V



## V-34

1 in section 202(c) of the Controlled Substances Act  
2 (21 U.S.C. 812(c)).

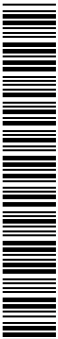
3 “(3) DRUG.—The term ‘drug’ includes con-  
4 trolled substances; the illegal use of alcohol and to-  
5 bacco; and the harmful, abusive, or addictive use of  
6 substances, including inhalants and anabolic  
7 steroids.

8 “(4) DRUG AND VIOLENCE PREVENTION.—The  
9 term ‘drug and violence prevention’ means—

10 “(A) with respect to drugs, prevention,  
11 early intervention, rehabilitation referral, or  
12 education related to the illegal use of drugs;  
13 and

14 “(B) with respect to violence, the pro-  
15 motion of school safety, such that students and  
16 school personnel are free from violent and dis-  
17 ruptive acts, on school premises, going to and  
18 from school, and at school-sponsored activities,  
19 through the creation and maintenance of a  
20 school environment that is free of weapons and  
21 fosters individual responsibility and respect for  
22 the rights of others.

23 “(5) NONPROFIT.—The term ‘nonprofit,’ as ap-  
24 plied to a school, agency, organization, or institution  
25 means a school, agency, organization, or institution



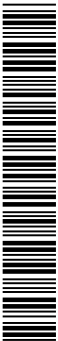
## V-35

1 owned and operated by one or more nonprofit cor-  
2 porations or associations, no part of the net earnings  
3 of which inures, or may lawfully inure, to the benefit  
4 of any private shareholder or individual.

5 “(6) SCHOOL-AGED POPULATION.—The term  
6 ‘school-aged population’ means the population aged  
7 5 through 17, as determined by the Secretary on the  
8 basis of the most recent satisfactory data available  
9 from the Department of Commerce.

10 “(7) SCHOOL BASED MENTAL HEALTH SERV-  
11 ICES PROVIDER.—The term ‘school based mental  
12 health services provider’ includes a State licensed or  
13 State certified school counselor, school psychologist,  
14 school social worker, or other State licensed or cer-  
15 tified mental health professional qualified under  
16 State law to provide such services to children and  
17 adolescents.

18 “(8) SCHOOL PERSONNEL.—The term ‘school  
19 personnel’ includes teachers, principals, administra-  
20 tors, guidance counselors, social workers, psycholo-  
21 gists, nurses, librarians, and other support staff who  
22 are employed by a school or who perform services for  
23 the school on a contractual basis.



## V-36

1           “(9) STATE.—The term ‘State’ means each of  
2           the 50 States, the District of Columbia, and the  
3           Commonwealth of Puerto Rico.

4   **“SEC. 5132. MESSAGE AND MATERIALS.**

5           “(a) ‘WRONG AND HARMFUL’ MESSAGE.—Drug pre-  
6           vention programs supported under this title shall convey  
7           a clear and consistent message that the use of drugs is  
8           wrong and harmful.

9           “(b) CURRICULUM.—The Secretary shall not pre-  
10          scribe the use of specific curricula for programs supported  
11          under this part.

12   **“SEC. 5133. PARENTAL CONSENT.**

13          “Upon receipt of written notification from the par-  
14          ents or legal guardians of a student, the local educational  
15          agency shall withdraw such student from any program or  
16          activity funded under this title. The local educational  
17          agency shall make reasonable efforts to inform parents or  
18          legal guardians of the content of such programs or activi-  
19          ties funded under this title, other than classroom instruc-  
20          tion.

21   **“SEC. 5134. PROHIBITED USES OF FUNDS.**

22          “No funds under this part may be used for—

23                  “(1) construction (except for minor remodeling  
24                  needed to accomplish the purposes of this part);



## V-37

1           “(2) medical services, drug treatment or reha-  
2           bilitation, except for pupil services or referral to  
3           treatment for students who are victims of, or wit-  
4           nesses to, use of drugs or crime; and

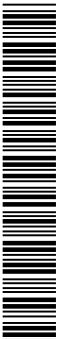
5           “(3) activities or programs that discriminate  
6           against or denigrate the religious or moral beliefs of  
7           students who participate in such activities or pro-  
8           grams or of the parents or legal guardians of such  
9           students.

10   **“SEC. 5135. CONTINUATION AWARDS.**

11           “From funds made available under section 5003(2),  
12   the Secretary is authorized to continue funding multi-year  
13   grants awarded prior to fiscal year 2001 under part I of  
14   title X, as such part was in effect on the day preceding  
15   the date of the enactment of the No Child Left Behind  
16   Act of 2001, or the Middle School Coordinator Initiative  
17   (as described in title III of the Department of Education  
18   Act, 2000, (as enacted into law by section 1004(a)(4) of  
19   Public Law 106-113) and prior appropriations Acts, prior  
20   to the date of the enactment of the No Child Left Behind  
21   Act for the duration of the original grant period.

22   **“SEC. 5136. SERVICES PROVIDED BY CHARITABLE, RELI-**  
23                   **GIOUS, OR PRIVATE ORGANIZATIONS.**

24           “(a) IN GENERAL.—A State may administer and pro-  
25   vide services under the programs and activities described



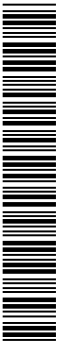
## V-38

1 in this part through grants and contracts with charitable,  
2 religious, or private organizations.

3 “(b) RELIGIOUS ORGANIZATIONS.—The purpose of  
4 this section is to allow States to provide grants to or to  
5 contract with religious organizations on the same basis as  
6 any other nongovernmental provider without impairing the  
7 religious character of such organizations, and without di-  
8 minishing the religious freedom of beneficiaries of assist-  
9 ance funded under such program.

10 “(c) NONDISCRIMINATION AGAINST RELIGIOUS OR-  
11 GANIZATIONS.—In the event a State exercises its authority  
12 under subsection (a), religious organizations are eligible,  
13 on the same basis as any other private organization, as  
14 grant recipients or contractors, to provide assistance  
15 under any program described in this part if the programs  
16 sponsored by such religious organization are implemented  
17 in a manner consistent with Article I of the Constitution.  
18 Except as provided in subsection (i), neither the Federal  
19 Government, a State, nor a local educational agency re-  
20 ceiving funds under this part may discriminate against an  
21 organization that is or applies to be a contractor to pro-  
22 vide assistance on the basis that the organization has a  
23 religious character.

24 “(d) RELIGIOUS CHARACTER AND FREEDOM.—



## V-39

1           “(1) RELIGIOUS ORGANIZATIONS.—A religious  
2           organization that receives a grant or contract under  
3           this part shall retain its religious character and con-  
4           trol over the definition, development, practice, and  
5           expression of its religious beliefs.

6           “(2) ADDITIONAL SAFEGUARDS.—Neither the  
7           Federal Government, a State, nor local government  
8           shall require a religious organization to—

9                   “(A) alter its form of internal governance;  
10                   or

11                   “(B) remove religious art, icons, scripture,  
12                   or other symbols;

13           in order to be eligible to receive a grant or contract  
14           under this part.

15           “(e) EMPLOYMENT PRACTICES.—A religious organi-  
16           zation’s exemption provided under section 702 of the Civil  
17           Rights Act of 1964 (42 U.S.C. 2000e-1), regarding em-  
18           ployment practices, shall not be affected by its participa-  
19           tion in, or receipt of funds from, programs under this part.

20           “(f) NONDISCRIMINATION AGAINST BENE-  
21           FICIARIES.—Except as otherwise provided in law, a reli-  
22           gious organization shall not discriminate against an indi-  
23           vidual in regard to rendering assistance funded under any  
24           program described in this part on the basis of religion,



## V-40

1 a religious belief, or refusal to actively participate in a reli-  
2 gious practice.

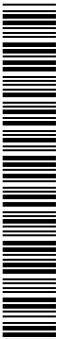
3 “(g) FISCAL ACCOUNTABILITY.—

4 “(1) IN GENERAL.—Except as provided in para-  
5 graph (2), any religious organization receiving a  
6 grant or contracting to provide assistance funded  
7 under any program described in this title shall be  
8 subject to the same regulations as other recipients  
9 or contractors to account in accord with generally  
10 accepted auditing principles for the use of such  
11 funds provided under such programs.

12 “(2) LIMITED AUDIT.—Such organization shall  
13 segregate government funds provided under such  
14 program into a separate account. Only the Govern-  
15 ment funds shall be subject to audit by the Govern-  
16 ment.

17 “(h) LIMITATIONS ON USE OF FUNDS FOR CERTAIN  
18 PURPOSES.—No funds provided directly to institutions or  
19 organizations to provide services and administer programs  
20 under this Act part shall be expended for sectarian wor-  
21 ship, instruction, or proselytization.

22 “(i) PREEMPTION.—Nothing in this section shall be  
23 construed to preempt any provision of a State constitution  
24 or State statute that prohibits or restricts the expenditure  
25 of State funds in or by religious organizations.





## V-41

1 “(j) PROTECTION FOR BENEFICIARIES.—A chari-  
2 table, religious, or private organization shall not subject  
3 a participant during a program assisted under this title  
4 to sectarian worship, instruction, or proselytization.

5 **“SEC. 5137. DISCIPLINE OF CHILDREN WITH DISABILITIES.**

6 “(a) AUTHORITY OF SCHOOL PERSONNEL.—Each  
7 State receiving funds under this Act shall require each  
8 local educational agency to have in effect a policy under  
9 which school personnel of such agency may discipline (in-  
10 cluding expel or suspend) a child with a disability who—

11 “(1) carries or possesses a weapon to or at a  
12 school, on school premises, or to or at a school func-  
13 tion, under the jurisdiction of a State or a local edu-  
14 cational agency,

15 “(2) knowingly possesses or uses illegal drugs  
16 or sells or solicits the sale of a controlled substance  
17 at a school, on school premises, or at a school func-  
18 tion, under the jurisdiction of a State or a local edu-  
19 cational agency, or

20 “(3) commits an aggravated assault or battery  
21 (as defined under State or local law) at a school, on  
22 school premises, or at a school function, under the  
23 jurisdiction of a State or local educational agency, or



## V-42

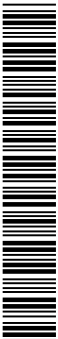
1 in the same manner in which such personnel may dis-  
2 cipline a child without a disability. Such personnel may  
3 modify the disciplinary action on a case-by-case basis.

4 “(b) RULE OF CONSTRUCTION.—Nothing in sub-  
5 section (a) shall be construed to prevent a child with a  
6 disability who is disciplined pursuant to the authority pro-  
7 vided under paragraphs (1) and (3) of subsection (a), from  
8 asserting a defense that the possession or use of the illegal  
9 drugs (or the sale or solicitation of the controlled sub-  
10 stance) or the carrying or possession of the weapon was  
11 unintentional or innocent.

12 “(c) FREE APPROPRIATE PUBLIC EDUCATION.—

13 “(1) CEASING TO PROVIDE EDUCATION.—Not-  
14 withstanding any other provision of Federal law, a  
15 child expelled or suspended under subsection (a)  
16 shall not be entitled to continue educational services,  
17 including a free appropriate public education, re-  
18 quired under Federal law during the term of such  
19 expulsion or suspension, if the State in which the  
20 local educational agency responsible for providing  
21 educational services to such child does not require a  
22 child without a disability to receive educational serv-  
23 ices after being expelled or suspended.

24 “(2) PROVIDING EDUCATION.—Notwithstanding  
25 paragraph (1), the local educational agency respon-



## V-43

1       sible for providing educational services to a child  
2       with a disability who is expelled or suspended under  
3       paragraph (1) may choose to continue to provide  
4       educational services or mental health services to  
5       such child. If the local educational agency so chooses  
6       to continue to provide the services—

7               “(A) nothing in any other provision of  
8       Federal law shall require the local educational  
9       agency to provide such child with any particular  
10      level of service; and

11              “(B) the location where the local edu-  
12      cational agency provides the services shall be  
13      left to the discretion of the local educational  
14      agency.

15              “(3) DEFINITIONS.—For purposes of this sub-  
16      section:

17              “(A) CONTROLLED SUBSTANCE.—The  
18      term ‘controlled substance’ shall have the same  
19      meaning as the term is defined in section 5131.

20              “(B) ILLEGAL DRUG.—The term ‘illegal  
21      drug’ means a controlled substance, but does  
22      not include such a substance that is legally pos-  
23      sessed or used under the supervision of a li-  
24      censed health-care professional or that is legally  
25      possessed or used under any other authority



## V-44

1 under the Controlled Substances Act or under  
2 any other provision of Federal law.”.

3 “(C) WEAPON.—The term ‘weapon’ has  
4 the meaning given the term ‘dangerous weapon’  
5 under subsection (g)(2) of section 930 of title  
6 18, United States Code.

7 **“PART B—ENHANCING EDUCATION THROUGH**  
8 **TECHNOLOGY**

9 **“SEC. 5201. SHORT TITLE.**

10 “This title may be cited as the ‘Enhancing Education  
11 Through Technology Act of 2001’.

12 **“SEC. 5202. PURPOSES.**

13 “The purposes of this part are as follows:

14 “(1) To provide assistance to States and local-  
15 ities for implementing innovative technology initia-  
16 tives that lead to increased student academic  
17 achievement and that may be evaluated for effective-  
18 ness and replicated if successful.

19 “(2) To encourage the establishment or expan-  
20 sion of initiatives, including those involving public-  
21 private partnerships, designed to increase access to  
22 technology, particularly in high-need local edu-  
23 cational agencies.

24 “(3) To assist States and localities in the acqui-  
25 sition, development, interconnection, implementation,



## V-45

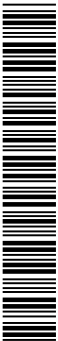
1 improvement, and maintenance of an effective edu-  
2 cational technology infrastructure.

3 “(4) To promote initiatives that provide school  
4 principals, administrators, and teachers with the ca-  
5 pacity to effectively utilize technology in ways which  
6 integrate such technology with challenging State  
7 content and student achievement standards, through  
8 such means as high quality professional development  
9 programs.

10 “(5) To enhance the ongoing professional devel-  
11 opment of principals, administrators, and teachers  
12 by providing constant access to updated research in  
13 teaching and learning via electronic means.

14 “(6) To support the development of electronic  
15 networks and other innovative methods, such as dis-  
16 tance learning, of delivering challenging courses and  
17 curricula for students who would otherwise not have  
18 access to such courses and curricula, especially in  
19 isolated regions.

20 “(7) To support the rigorous evaluation of pro-  
21 grams funded under this part, especially the impact  
22 of such initiatives on student academic performance,  
23 and ensuring timely information on the results of  
24 such evaluations are widely accessible through elec-  
25 tronic means.



V-46

1           “(8) To support local efforts for the use of  
2           technology to promote parent and family involve-  
3           ment in education and communication among par-  
4           ents, teachers and students.

5   **“SEC. 5203. AUTHORIZATION OF APPROPRIATIONS; FUND-**  
6                   **ING RULE.**

7           “(a) IN GENERAL.—There are authorized to be ap-  
8           propriated to carry out this part—

9           “(1) \$872,000,000 for fiscal year 2002; and

10          “(2) such sums as may be necessary for each  
11          of fiscal years 2003 through 2006.

12          “(b) ALLOCATION OF FUNDS BETWEEN NATIONAL  
13          AND STATE AND LOCAL INITIATIVES.—Except as pro-  
14          vided in subsection (c), the amount of funds made avail-  
15          able under subsection (a) shall be allocated as follows:

16          “(1) Not less than 95 percent shall be made  
17          available for State and local technology initiatives  
18          under subpart 1.

19          “(2) Not more than 5 percent may be made  
20          available for activities of the Secretary under sub-  
21          part 2.

22   **“SEC. 5204. DEFINITIONS.**

23          “In this part:

24          “(1) The term ‘distance learning’ means the  
25          transmission of educational or instructional pro-



## V-47

1       gramming to geographically dispersed individuals  
2       and groups via telecommunications.

3       “(2) The term ‘eligible local entity’ means—

4               “(A) a high-need local educational agency;

5               or

6               “(B) an eligible local partnership.

7       “(3) The term ‘eligible local partnership’ means

8       a partnership that includes at least one high-need

9       local educational agency and at least one—

10              “(A) local educational agency that can

11              demonstrate that teachers in schools served by

12              that agency are using technology effectively in

13              their classrooms;

14              “(B) institution of higher education;

15              “(C) for-profit business or organization

16              that develops, designs, manufactures, or pro-

17              duces technology products or services, or has

18              substantial expertise in the application of tech-

19              nology;

20              “(D) public or private non-profit organiza-

21              tion with demonstrated experience in the appli-

22              cation of educational technology; or

23              “(E) local educational agency which has

24              the potential to become an exemplary model for

25              wide-scale adoption by other local educational



## V-48

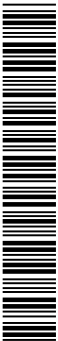
1 agencies on how to effectively integrate tech-  
2 nology and proven research-based teaching  
3 practices which result in improvement in class-  
4 room instruction in the core academic subject  
5 areas, and the preparation of students to meet  
6 challenging State content and student achieve-  
7 ment standards.

8 “(4) The term ‘high-need local educational  
9 agency’ means a local educational agency that—

10 “(A) is among the local educational agen-  
11 cies in the State with the highest numbers or  
12 percentages of children from families with in-  
13 comes below the poverty line, as defined by the  
14 Office of Management and Budget and revised  
15 annually in accordance with section 673(2) of  
16 the Community Services Block Grant Act (42  
17 U.S.C. 9902(2));

18 “(B) includes one or more low-performing  
19 schools; and

20 “(C) has a substantial need for assistance  
21 in acquiring and using technology.





## V-49

1    **“Subpart 1—State and Local Technology for Success**  
2                                   **Grants**

3    **“SEC. 5211. DETERMINATION OF AMOUNT OF STATE ALLOT-**  
4                                   **MENT.**

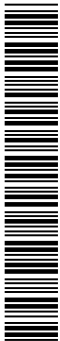
5           “(a) IN GENERAL.—Except as otherwise provided in  
6 this subpart, each State shall be eligible to receive a grant  
7 under this subpart for a fiscal year in an allotment deter-  
8 mined as follows:

9           “(1) 50 percent shall bear the same relationship  
10 to the amount made available under section  
11 5203(b)(1) for such year as the amount such state  
12 received under part A for title I for such year bears  
13 to the amount received for such year under such  
14 part by all States.

15           “(2) 50 percent shall be determined on the  
16 basis of the State’s relative population of individuals  
17 age 5 through 17, as determined by the Secretary on  
18 the basis of the most recent satisfactory data.

19           “(b) RESERVATION OF FUNDS FOR BUREAU OF IN-  
20 DIAN AFFAIRS AND OUTLYING AREAS.—Of the amount  
21 made available to carry out this subpart under section  
22 5203(b)(1) for a fiscal year—

23           “(1) the Secretary shall reserve  $\frac{1}{2}$  of 1 percent  
24 for the Secretary of the Interior for programs under  
25 this subpart for schools operated or funded by the  
26 Bureau of Indian Affairs; and



## V-50

1           “(2) the Secretary shall reserve  $\frac{1}{2}$  of 1 percent  
2           to provide assistance to the outlying areas.

3           “(c) MINIMUM ALLOTMENT.—The amount of any  
4           State’s allotment under subsection (a) for any fiscal year  
5           may not be less than  $\frac{1}{2}$  of 1 percent of the amount made  
6           available under section 5203(b)(1) for such year.

7           “(d) REALLOTMENT OF UNUSED FUNDS.—If any  
8           State does not apply for an allotment under this subpart  
9           for a fiscal year, the Secretary shall reallocate the amount  
10          of the State’s allotment to the remaining States in accord-  
11          ance with this section.

12       **“SEC. 5212. USE OF ALLOTMENT BY STATE.**

13          “Of the amount provided to a State from its allot-  
14          ment under section 5211—

15               “(1) the State may use not more than 5 percent  
16               to carry out activities under section 5215; and

17               “(2) not less than 95 percent shall be distrib-  
18               uted to local educational agencies by the State as  
19               follows:

20                       “(A) At least 80 percent shall be used for  
21                       activities described in section 5216, to be dis-  
22                       tributed through a formula developed by the  
23                       State which shall target funds to high-need  
24                       local educational agencies which have submitted  
25                       plans to the State under section 5214.



## V-51

1           “(B) Not more than 20 percent shall be  
2           awarded through a State-determined competi-  
3           tive process to eligible local entities which have  
4           submitted plans to the State under section  
5           5214, to be used to carry out activities con-  
6           sistent with this subpart.

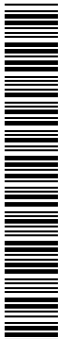
7   **“SEC. 5213. STATE PLANS.**

8           “(a) IN GENERAL.—To be eligible to receive a grant  
9           under this subpart, a State shall submit a new or updated  
10          statewide, long-range strategic educational technology  
11          plan to the Secretary at such time, in such manner, and  
12          containing such information as the Secretary may reason-  
13          ably require.

14          “(b) CONTENTS.—Each State plan submitted under  
15          this section shall include the following:

16               “(1) A description of how the State will use  
17               funds provided under this subpart to improve the  
18               academic achievement of all students and to improve  
19               the capacity of all teachers to provide instruction in  
20               the State, through the use of education technology.

21               “(2) A description of the State’s goals for using  
22               advanced technology to improve student achievement  
23               aligned to challenging State content and student  
24               achievement standards, including a description of  
25               how the State will take steps to ensure that all stu-



## V-52

1       dents in the State, particularly those residing in dis-  
2       tricts served by high-need local educational agencies,  
3       will have increased access to educational technology.

4           “(3) A description of the accountability meas-  
5       ures the State will use for the evaluation of the ex-  
6       tent to which education technology funded under  
7       this subpart has been successfully integrated into  
8       teaching strategies and school curriculum, has in-  
9       creased the ability of teachers to teach, and has en-  
10      abled students to meet challenging State content and  
11      student achievement standards.

12          “(4) A description of how the State will encour-  
13      age the development and utilization of innovative  
14      strategies for the delivery of specialized or rigorous  
15      academic courses and curricula through the use of  
16      technology and distance learning, particularly for  
17      those areas of the State which are isolated and  
18      which would not otherwise have access to such  
19      courses and curricula.

20          “(5) An assurance that financial assistance pro-  
21      vided under this subpart shall supplement, not sup-  
22      plant, State and local funds.

23          “(6) A description of how the State will ensure  
24      that every teacher within a school funded under this



## V-53

1 subpart will be computer-literate and proficient (as  
2 determined by the State) by 2006.

3 “(7) A description of how the State will ensure  
4 that grants to eligible local applicants are of suffi-  
5 cient size, scope, and quality to meet the purposes  
6 of this part effectively.

7 “(c) DEEMED APPROVAL.—A State plan submitted  
8 to the Secretary under this section shall be deemed to be  
9 approved by the Secretary unless the Secretary makes a  
10 written determination prior to the expiration of the 90-  
11 day period which begins on the date the Secretary receives  
12 the application that the plan is in violation of the provi-  
13 sions of this subpart.

14 “(d) DISAPPROVAL.—The Secretary may issue a final  
15 disapproval of a State’s application under this subpart  
16 only after giving the State notice and an opportunity for  
17 a hearing.

18 “(e) DISSEMINATION OF INFORMATION ON STATE  
19 PLANS.—The Secretary shall make information on State  
20 plans under this subpart widely available to schools and  
21 the general public, including through dissemination on the  
22 Internet, in a timely and user-friendly manner.

23 **“SEC. 5214. LOCAL PLANS.**

24 “(a) IN GENERAL.—An applicant seeking to receive  
25 funds from a State under this subpart shall submit a new



## V-54

1 or updated long-range local strategic educational tech-  
2 nology plan consistent with the objectives of the statewide  
3 education technology plan described in section 5213(a) to  
4 the State at such time, in such manner, and accompanied  
5 by such information as the State may reasonably require.

6 “(b) CONTENTS OF LOCAL PLAN.—Each local plan  
7 described in this section shall include the following:

8 “(1) A description of how the applicant will use  
9 Federal funds provided under this subpart to im-  
10 prove the academic achievement of all students and  
11 to improve the capacity of all teachers to provide in-  
12 struction through the use of education technology.

13 “(2) A description of the applicant’s specific  
14 goals for using advanced technology to improve stu-  
15 dent achievement aligned to challenging State con-  
16 tent and student achievement standards, including a  
17 description of how the applicant will take steps to  
18 ensure that all students in the local educational area  
19 (particularly those in high poverty and high-need  
20 schools) have increased access to educational tech-  
21 nology, and a description of how such technology will  
22 be used to improve the academic achievement for  
23 such students.

24 “(3) A description of how the applicant will  
25 promote—



## V-55

1           “(A) the utilization of teaching strategies  
2           and curricula, based upon scientifically based  
3           research, which effectively integrate technology  
4           into instruction, leading to improvements in  
5           student academic achievement as measured by  
6           challenging State content and student achieve-  
7           ment standards; and

8           “(B) sustained and intensive, high quality  
9           professional development, based upon scientif-  
10          ically based research, which increases teacher  
11          capacity to create improved learning environ-  
12          ments through the integration of technology  
13          into instruction through proven strategies and  
14          improved content as described in subparagraph  
15          (A).

16          “(4) A description of how the applicant will in-  
17          tegrate technology across the curriculum and a time  
18          line for such integration, including a description of  
19          how the applicant will make effective use of new and  
20          emerging technologies and teaching practices that  
21          are linked to such emerging technologies to provide  
22          challenging content and improved classroom instruc-  
23          tion.

24          “(5) A description of how the applicant will co-  
25          ordinate education technology activities funded



## V-56

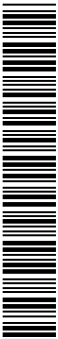
1 under this subpart, including (but not limited to)  
2 professional development, with any such activities  
3 provided under other Federal, State, and local pro-  
4 grams, including those authorized under title I, title  
5 II, title IV, and (where applicable) the Individuals  
6 with Disabilities Education Act (20 U.S.C. 1400 et  
7 seq.) and the Carl D. Perkins Vocational and Tech-  
8 nical Education Act of 1998 (20 U.S.C. 2301 et  
9 seq.).

10 “(6) A description of the process the applicant  
11 will use for the evaluation of the extent to which  
12 funds provided under this subpart were effective in  
13 integrating technology into school curriculum, in-  
14 creasing the ability of teachers to teach, and ena-  
15 bling students to meet challenging State content and  
16 student achievement standards.

17 “(7) If requested by the State—

18 “(A) a description of how the applicant will  
19 use funds provided under this subpart in a  
20 manner which is consistent with any broad edu-  
21 cation technology priorities which may be estab-  
22 lished by the State consistent with this subpart;  
23 and

24 “(B) an assurance that any technology ob-  
25 tained with funds provided under this subpart





## V-57

1 will have compatibility and interconnectivity  
2 with technology obtained with funds provided  
3 previously under title III (as in effect the day  
4 preceding the date of enactment of the No  
5 Child Left Behind Act of 2001).

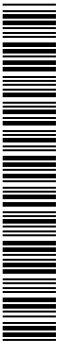
6 “(8) A description of the applicant’s Internet  
7 filtering or blocking technology and related enforce-  
8 ment policies.

9 **“SEC. 5215. STATE ACTIVITIES.**

10 “(a) IN GENERAL.—From funds made available  
11 under section 5212(1), a State shall carry out activities  
12 and assist local efforts to carry out the purposes of this  
13 subpart, which may include the following activities:

14 “(1) Developing or assisting applicants in the  
15 development and utilization of innovative strategies  
16 to deliver rigorous academic programs through the  
17 use of technology and distance learning, and pro-  
18 viding other technical assistance to such applicants  
19 throughout the State, with a priority to high-need  
20 local educational agencies.

21 “(2) Establishing or supporting joint public and  
22 private initiatives to provide interest-free or reduced  
23 loans for the acquisition of educational technology  
24 for high-need local educational agencies and stu-  
25 dents attending schools within such districts.



## V-58

1           “(3) Assisting applicants in providing sustained  
2           and intensive high-quality professional development  
3           based upon scientifically based research in the inte-  
4           gration of advanced technologies (including emerging  
5           technologies) into curriculum and in using those  
6           technologies to create new learning environments, in-  
7           cluding training in the use of technology to—

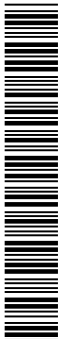
8                   “(A) access data and resources to develop  
9                   curricula and instructional materials;

10                   “(B) enable teachers to use the Internet to  
11                   communicate with other teachers and to re-  
12                   trieve Internet-based learning resources; and

13                   “(C) lead to improvements in classroom in-  
14                   struction in the core academic subject areas,  
15                   which effectively prepare students to meet chal-  
16                   lenging State content and student achievement  
17                   standards.

18           “(4) Assisting applicants in providing all stu-  
19           dents (including students with disabilities and stu-  
20           dents with limited English proficiency) with access  
21           to educational technology.

22           “(5) Establishing or expanding access to tech-  
23           nology in neighborhoods served by high-need local  
24           educational agencies, with special emphasis for ac-  
25           cess provided through technology centers in partner-



V-59

1 ship with libraries and with the support of the pri-  
2 vate sector.

3 “(6) Developing enhanced performance meas-  
4 urement systems to determine the effectiveness of  
5 education technology programs funded under this  
6 subpart, especially in determining the extent to  
7 which education technology funded under this sub-  
8 part has been successfully integrated into teaching  
9 strategies and school curriculum, has increased the  
10 ability of teachers to teach, and has enabled stu-  
11 dents to meet challenging State content and student  
12 achievement standards.

13 “(b) LIMITATION ON ADMINISTRATIVE COSTS.—Of  
14 the 5 percent of the State’s allotment under section 5211  
15 which may be used to carry out activities under this sec-  
16 tion, not more than 2 percent may be used by the State  
17 for administrative costs.

18 **“SEC. 5216. LOCAL ACTIVITIES.**

19 “(a) PROFESSIONAL DEVELOPMENT.—A recipient of  
20 funds made available under section 5212(2)(A) shall use  
21 not less than 20 percent of such funds to provide sustained  
22 and intensive high-quality professional development based  
23 on scientifically based research in the integration of ad-  
24 vanced technologies (including emerging technologies) into  
25 curriculum and in using those technologies to create new



## V-60

1 learning environments, including training in the use of  
2 technology to—

3 “(1) access data and resources to develop cur-  
4 ricula and instructional materials;

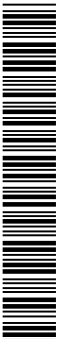
5 “(2) enable teachers to use the Internet to com-  
6 municate with other teachers and retrieve Internet-  
7 based learning resources; and

8 “(3) lead to improvements in classroom instruc-  
9 tion in the core academic subject areas, which effec-  
10 tively prepare students to meet challenging State  
11 content and student achievement standards.

12 “(b) WAIVER.—Subsection (a) does not apply to a re-  
13 cipient of funds under section 5212(2)(A) who dem-  
14 onstrates, to the satisfaction of the State, that such recipi-  
15 ent already provides sustained and intensive high-quality  
16 professional development based on scientifically based re-  
17 search in the integration of technology (including emerg-  
18 ing technologies) into the curriculum.

19 “(c) OTHER ACTIVITIES.—In addition to the activi-  
20 ties described in subsection (a), a recipient of funds made  
21 available under section 5212(2)(A) shall use such funds  
22 to carry out other activities consistent with this subpart,  
23 which may include the following:

24 “(1) Adapting or expanding existing and new  
25 applications of technology to enable teachers to in-



## V-61

1       crease student academic achievement through the  
2       use of teaching practices and advanced technologies  
3       which are based upon scientifically based research  
4       and are designed to prepare students to meet chal-  
5       lenging State content and student achievement  
6       standards, and for developing and utilizing innova-  
7       tive strategies to deliver rigorous academic pro-  
8       grams.

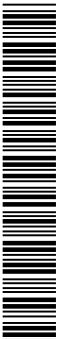
9               “(2) Developing, expanding, or acquiring edu-  
10       cation technology as a means to improve the aca-  
11       demic achievement of all students.

12              “(3) The establishment or expansion of initia-  
13       tives, especially those involving public-private part-  
14       nerships, designed to increase access to technology,  
15       particularly for high-need local educational agencies.

16              “(4) Using technology to promote parent and  
17       family involvement and support communications be-  
18       tween parents, teachers, and students.

19              “(5) Acquiring filtering, blocking, or other tech-  
20       nologies and activities which are designed to protect  
21       students from harmful materials which may be  
22       accessed on the Internet.

23              “(6) Using technology to collect, manage, and  
24       analyze data to inform school improvement efforts.



## V-62

1           “(7) Implementing enhanced performance  
2           measurement systems to determine the effectiveness  
3           of education technology programs funded under this  
4           subpart, especially in determining the extent to  
5           which education technology funded under this sub-  
6           part has been successfully integrated into teaching  
7           strategies and school curriculum, has increased the  
8           ability of teachers to teach, and has enabled stu-  
9           dents to meet challenging State content and student  
10          achievement standards.

11          “(8) Preparing one or more teachers in elemen-  
12          tary, middle, and secondary schools as technology  
13          leaders who are provided with the means to serve as  
14          experts and train other teachers in the effective use  
15          of technology.

16          “(9) Establishing or expanding access to tech-  
17          nology in neighborhoods served by high-need local  
18          educational agencies, with special emphasis for ac-  
19          cess provided through technology centers in partner-  
20          ship with libraries and with the support of the pri-  
21          vate sector.



V-63

1       **“Subpart 2—National Technology Initiatives**

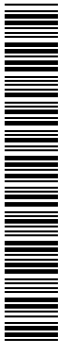
2       **“SEC. 5221. NATIONAL TECHNOLOGY INITIATIVES.**

3       “(a) IN GENERAL.—Using funds made available  
4 under section 5203(b)(2), the Secretary may carry out the  
5 following initiatives:

6               “(1) The funding of programs built upon sci-  
7 entifically based research, which utilize technology in  
8 education, through the competitive awarding of  
9 grants or contracts, pursuant to a peer review proc-  
10 ess, to States, local educational agencies (including  
11 eligible local entities), institutions of higher edu-  
12 cation, and public and private or nonprofit or for-  
13 profit agencies.

14              “(2) The provision of technical assistance to  
15 States, local educational agencies, and other grant-  
16 ees under this subpart (directly or through the com-  
17 petitive award of grants or contracts) in order to as-  
18 sist such States, local educational agencies, and  
19 other grantees to achieve the purposes of this part  
20 subpart.

21       “(b) STUDY OF USE OF TECHNOLOGY TO IMPROVE  
22 ACADEMIC ACHIEVEMENT.—Using funds made available  
23 under section 5203(b)(2), the Secretary shall conduct an  
24 independent, long-term study utilizing scientifically based  
25 research methods and control groups, on the effectiveness  
26 of the uses of educational technology on improving student



## V-64

1 academic achievement, and shall include in the study an  
2 identification of effective uses of educational technology  
3 that have a measurable positive impact on student achieve-  
4 ment.

5 “(c) PRIORITIES.—In funding initiatives under sub-  
6 section (a), the Secretary shall place a priority on projects  
7 which—

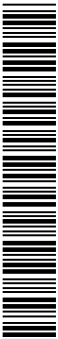
8 “(1) develop innovative models using electronic  
9 networks or other forms of distance learning to pro-  
10 vide challenging courses which are otherwise not  
11 readily available to students in a particular school  
12 district, particularly in rural areas; and

13 “(2) increase access to technology to those re-  
14 siding in districts served by high-need local edu-  
15 cational agencies.

16 **“SEC. 5222. REQUIREMENTS FOR RECIPIENTS OF FUNDS.**

17 “(a) APPLICATION.—In order to receive a grant or  
18 contract under this subpart, an entity shall submit an ap-  
19 plication to the Secretary (at such time and in such form  
20 as the Secretary may require), and shall include in the  
21 application—

22 “(1) a description of the project proposed to be  
23 carried out with the grant or contract and how it  
24 would carry out the purposes of this subpart; and





## V-65

1           “(2) a detailed plan for the independent evalua-  
2           tion of the project built upon scientifically based re-  
3           search principles to determine the impact on the  
4           academic achievement of students served under such  
5           project, as measured by challenging State content  
6           and student achievement standards.

7           “(b) NON-FEDERAL SHARE.—

8           “(1) IN GENERAL.—Subject to paragraphs (2)  
9           and (3), the Secretary may require any recipient of  
10          a grant or contract under this subpart to share in  
11          the cost of the activities assisted under such grant  
12          or contract, which may be in the form of cash or in-  
13          kind contributions fairly valued.

14          “(2) INCREASE.—The Secretary may increase  
15          the non-Federal share required of a recipient of a  
16          grant or contract under this subpart after the first  
17          year such recipient receives funds under such grant  
18          or contract.

19          “(3) MAXIMUM.—The non-Federal share re-  
20          quired under this subsection may not exceed 50 per-  
21          cent of the cost of the activities assisted under a  
22          grant or contract under this subpart.

23          “(4) NOTICE.—The Secretary shall publish in  
24          the Federal Register the non-Federal share required  
25          under this subsection.



## V-66

1   **“SEC. 5223. EVALUATION AND DISSEMINATION.**

2           “(a) EVALUATION AUTHORITY.—In order to identify  
3 effective uses of educational technology that have a meas-  
4 urable positive impact on student achievement, the Sec-  
5 retary shall—

6           “(1) develop tools and provide resources, includ-  
7 ing technical assistance, for recipients of funds  
8 under this subpart to effectively evaluate their activi-  
9 ties; and

10          “(2) conduct independent evaluations of the ac-  
11 tivities assisted under this subpart.

12          **“(b) POST-GRANT EVALUATION INFORMATION AND**  
13 **DISSEMINATION.—**

14          “(1) IN GENERAL.—The Secretary shall make  
15 information on each project funded with a grant or  
16 contract under this subpart widely available to  
17 schools and the general public, including through  
18 dissemination on the Internet, in a timely and user-  
19 friendly manner.

20          “(2) SPECIFIC INFORMATION REQUIRED.—The  
21 information made available and disseminated under  
22 paragraph (1) shall at a minimum include the fol-  
23 lowing:

24               “(A) Upon the awarding of such a grant or  
25 contract under this subpart, the identification  
26 of the grant or contract recipient, the amount



## V-67

1 of the grant or contract, the stated goals of the  
2 grant or contract, the methods by which the  
3 grant or contract will be evaluated in meeting  
4 such stated goals, and the timeline for meeting  
5 such goals.

6 “(B) Not later than one year after the  
7 awarding of such a grant or contract, informa-  
8 tion on the progress of the grant or contract re-  
9 cipient in carrying out the grant or contract, in-  
10 cluding a detailed description of the use of the  
11 funds provided, the extent to which the stated  
12 goals have been reached, and the results (or  
13 progress of) the evaluation of the project, meet-  
14 ing the requirements of scientifically based re-  
15 search, funded under the grant or contract.

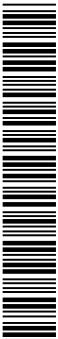
16 “(C) Not later than two years after the  
17 awarding of such a grant or contract (and up-  
18 dated thereafter as appropriate), a follow-up to  
19 the information described in subparagraph (B).

20 **“PART C—CHARACTER EDUCATION**

21 **“SEC. 5301. CHARACTER EDUCATION PROGRAM.**

22 “(a) PROGRAM AUTHORIZED.—

23 “(1) IN GENERAL.—After consultation with ex-  
24 perts in the field of character education, the Sec-  
25 retary may make grants to, or enter into contracts



## V-68

1 with, State educational agencies, local educational  
2 agencies, public or private agencies or organizations  
3 (including religious organizations), or consortia of  
4 such agencies or organizations for the design and  
5 implementation of character education programs  
6 that—

7 “(A) can be integrated into State content  
8 standards for the core academic subjects; and

9 “(B) can be carried out in conjunction  
10 with other educational reform efforts.

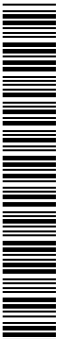
11 “(2) DURATION.—Each grant or contract under  
12 this section shall be made for a period not to exceed  
13 5 years, of which the grant recipient may not use  
14 more than 1 year for planning and program design.

15 “(b) CONTRACTS UNDER PROGRAM.—

16 “(1) EVALUATION.—Each recipient of assist-  
17 ance under this section may contract with outside  
18 sources, including institutions of higher education  
19 and private and nonprofit organizations (including  
20 religious organizations), for the purposes of—

21 “(A) evaluating the program for which the  
22 assistance is made available;

23 “(B) measuring the integration of such  
24 program into the curriculum and teaching



## V-69

1 methods of schools where the program is car-  
2 ried out; and

3 “(C) measuring the success of such pro-  
4 gram in fostering the elements of character se-  
5 lected by the recipient under subsection (c)(1).

6 “(2) MATERIALS AND PROGRAM DEVELOP-  
7 MENT.—Each recipient of assistance under this sec-  
8 tion may contract with outside sources, including in-  
9 stitutions of higher education and private and non-  
10 profit organizations (including religious organiza-  
11 tions), for assistance in—

12 “(A) developing curricula, materials, teach-  
13 er training, and other activities related to char-  
14 acter education; and

15 “(B) integrating character education into  
16 the curriculum and teaching methods of schools  
17 where the program is carried out.

18 “(c) ELEMENTS OF CHARACTER.—

19 “(1) SELECTION.—

20 “(A) IN GENERAL.—Each agency, organi-  
21 zation, or consortium receiving assistance under  
22 this section may select the elements of char-  
23 acter that will be taught under the program for  
24 which the assistance is made available.



## V-70

1           “(B) CONSIDERATION OF VIEWS.—In se-  
2           lecting elements of character under paragraph  
3           (1), the agency, organization, or consortium  
4           shall consider the views of the parents or  
5           guardians of the students to be taught under  
6           the program.

7           “(2) EXAMPLE ELEMENTS.—Elements of char-  
8           acter that may be selected under this subsection in-  
9           clude each of the following:

10           “(A) Trustworthiness.

11           “(B) Respect.

12           “(C) Responsibility.

13           “(D) Fairness.

14           “(E) Caring.

15           “(F) Citizenship.

16           “(d) APPLICATION.—

17           “(1) IN GENERAL.—Each agency, organization,  
18           or consortium seeking assistance under this section  
19           shall submit an application to the Secretary at such  
20           time and in such manner as the Secretary may re-  
21           quire.

22           “(2) REQUIRED INFORMATION.—Each applica-  
23           tion for assistance under this section shall include  
24           information that—



## V-71

1           “(A) demonstrates that the program to be  
2 assisted has clear goals and objectives that are  
3 based on scientifically based research;

4           “(B) describes the activities that will be  
5 carried out with the assistance and how such  
6 activities will meet the goals and objectives de-  
7 scribed in paragraph (1); and

8           “(C) describes how the program to be as-  
9 sisted will be linked to other efforts to improve  
10 educational achievement, including—

11           “(i) broader educational reforms that  
12 are being instituted by the applicant or its  
13 partners; and

14           “(ii) applicable State content stand-  
15 ards for student achievement.

16       “(e) SELECTION OF RECIPIENTS.—

17       “(1) PEER REVIEW.—

18           “(A) IN GENERAL.—In selecting agencies,  
19 organizations, or consortia to receive assistance  
20 under this section from among the applicants  
21 for such assistance, the Secretary shall use a  
22 peer review process.

23           “(B) USE OF FUNDS.—The Secretary may  
24 use funds appropriated under this section for



V-72

1 the cost of carrying out peer reviews under this  
2 paragraph.

3 “(2) SELECTION CRITERIA.—Each selection  
4 under paragraph (1) shall be made on the basis of  
5 the quality of the application submitted, taking into  
6 consideration such factors as—

7 “(A) the extent of parental, student, and  
8 community involvement in the program; and

9 “(B) the likelihood that the goals of the  
10 program will be realistically achieved.

11 “(3) DIVERSITY OF PROGRAMS.—In making se-  
12 lections under this subsection, the Secretary shall  
13 ensure, to the extent practicable under paragraph  
14 (2), that the programs assisted under this section—

15 “(A) are equitably distributed among the  
16 geographic regions of the United States, and  
17 among urban, suburban, and rural areas; and

18 “(B) serve schools with a high percentage  
19 of students from economically disadvantaged  
20 families and students from racial and ethnic  
21 minority groups.

22 “(f) EVALUATIONS.—

23 “(1) IN GENERAL.—The Secretary may not  
24 make assistance available to an agency, organiza-  
25 tion, or consortium under this section unless the





## V-73

1 agency, organization, or consortium agrees to trans-  
2 mit to the Secretary, not later than 5 years after re-  
3 ceipt of the assistance, a report containing an eval-  
4 uation of each program assisted.

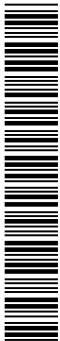
5 “(2) ATTAINMENT OF GOALS AND OBJEC-  
6 TIVES.—In conducting an evaluation referred to in  
7 paragraph (1), the agency, organization, or consor-  
8 tium receiving the assistance under this section shall  
9 evaluate the degree to which the program for which  
10 the assistance was made available attained the goals  
11 and objectives set for the program in the application  
12 for assistance submitted under subsection (d).

13 “(3) DISSEMINATION.—

14 “(A) IN GENERAL.—The Secretary shall  
15 disseminate each evaluation received under this  
16 subsection by making it publicly available upon  
17 request.

18 “(B) PUBLIC NOTICE.—When the Sec-  
19 retary receives an evaluation under this sub-  
20 section, the Secretary shall provide public notice  
21 that it is available.

22 “(g) MATCHING FUNDS.—As a condition of receipt  
23 of assistance under this section, the Secretary may require  
24 that each recipient provide matching funds from non-Fed-  
25 eral sources.



## V-74

1   **“SEC. 5302. AUTHORIZATION OF APPROPRIATIONS.**

2           “‘There are authorized to be appropriated to carry out  
3 this part \$25,000,000 for fiscal year 2002 and such sums  
4 as may be necessary for each of fiscal years 2003 through  
5 2006.’”.

